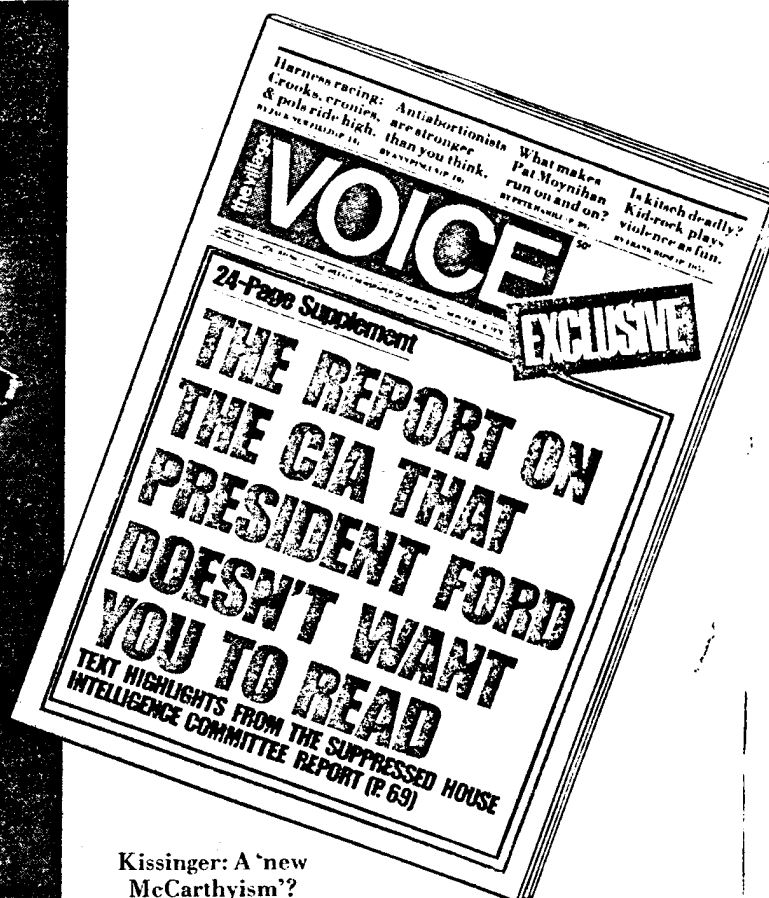


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23 February 1970



Kissinger: A 'new McCarthyism'?

A Question of Leakage

They called it Operation Swordfish, and though the code name was admittedly something of a joke, the project itself was utterly serious. Day after day, in their out-of-the-way office, a dozen New York editors plowed through a thick, confidential government document—racing both the clock and a spreading outbreak of flu among their staff to set the report in type. Soon the presses rolled and last week's edition of *The Village Voice*, a lively anti-establishment weekly, began turning up on the nation's newsstands with a glaring red front-page headline that boasted: **THE REPORT ON THE CIA THAT PRESIDENT FORD DOESN'T WANT YOU TO READ.**

Actually, the *Voice's* version of a still-secret House intelligence committee report contained little that was new. But it came on top of a long series of unauthorized disclosures about U.S. intelligence operations that had long since begun to disturb many Americans. As a result of such leaks, foreign allies were now said to be leery of cooperating with U.S. agents; a CIA station chief whose name had been published was subsequently murdered in Athens, and secret U.S. plans to aid anti-Soviet factions in Angola—suddenly made public—were all but dead in the water. Inevitably, last week's dramatic breaching of security raised the controversy over leaks to still greater heights. Was Congress simply proving

too leaky a sieve ever to be trusted with the effective oversight of intelligence operations that it sought? More important, were the leaks themselves beginning to pose a greater threat to the nation than the cloak-and-dagger improprieties and ineptitude they often seemed to reveal?

Debate: The publication of the report drew an angry response from one of the men it criticized—Secretary of State Henry Kissinger, who called it "malicious" and "irresponsible"—and it gave President Ford yet another opening to embarrass a hostile Congress. Pointing up the penchant for leaks on Capitol Hill, Ford offered the full services of the executive branch to help track down the source (presumably Congressional) who provided a copy of the document to CBS News correspondent Daniel Schorr that he passed on to the *Voice*. And as the debate over leaks grew more heated (page 14), *NEWSWEEK* learned that additional measures to seal them up were being worked into the President's forthcoming proposals to tighten controls over all U.S. intelligence agencies.

The fact that the House report had never been released officially, as was the Senate's report on assassinations last November, was but another indication of the Hill's new go-slow attitude toward investigating the U.S. intelligence community (*NEWSWEEK*, Feb. 9). After

months of detailed digging into the propriety and cost-effectiveness of intelligence operations, the House committee headed by New York Democrat Otis G. Pike voted 9 to 4 to release its findings. But then the full House voted 246 to 124 to keep the report bottled up pending clearance by the White House, which objected to the inclusion of some material it had turned over on a classified basis.

Even before the House vote, portions of the report had leaked into print. The *New York Times* and CBS News, among other news organizations, had access to early drafts or committee sources and numerous stories on the Pike paper had appeared. The aggressive, often abrasive Schorr (page 49) managed to obtain his own copy and, when the House voted to hold up its release, felt himself "confronted with an inescapable decision of journalistic conscience," he explained last week. "I could not be the one responsible for suppressing the report."* Schorr asked the Washington-based Reporters' Committee for Freedom of the Press to serve as the intermediary for a quickie book deal and to accept any profits. The committee, in turn, gingerly passed him on to a publishing insider who vetoed the idea of a book as unlikely, but

*CBS News said it would shift Schorr off the House intelligence committee beat, because he had become personally involved. But keep him on other aspects of the ongoing intelligence story.

Newsweek



CBS

CBS correspondent Schorr (above), chairman Pike: Balancing scrutiny with national security

who lined up the Voice deal.

Voice publisher Clay Felker insisted he had no idea where the document had come from. "As far as I know it landed on the back doorstep in a basket," he joked. But he and staffers from the Voice and New York magazine (which Felker also owns) worked through the weekend to get the report set in type at a secret location. Felker said it was sheer coincidence that the story broke in the Voice's first full-run national edition of 150,000 additional copies.

In a 24-page supplement, the Voice reproduced a series of official memos and testimony suggesting a lack of adequate financial controls over the intelligence establishment's estimated annual \$10 billion in spending (about three times the sum generally admitted). The report also pointed up some dramatic—but already published—gaps in U.S. intelligence analysis (failure to predict the 1973 Middle East war, for example) and such risky covert operations as the funneling of \$6 million to Italian political parties. But the report reserved some of its toughest criticism for Secretary of State Kissinger's "passion for secrecy" and his attempts to "control dissemination and analysis of data" (specifically, indications of possible Soviet violations of the SALT pact).

Though at least one senior White House aide conceded to NEWSWEEK that



Susan T. McElhinney—Newsweek

last week's leak "isn't really all that blatant," the Administration sensed that it had public opinion on its side and mounted a powerful counterattack. White House counsel Philip Buchen suggested that the leak might be ground for criminal charges. Kissinger's composure seemed often close to breaking as he denounced the committee report, arguing that facts were "taken so out of context . . . so fitted into a preconceived pattern that we are facing here a new version of McCarthyism." Might he resign? "If I should conclude that it is in the interest of American foreign policy, I would step down," said

Kissinger. "But what one also has to consider is whether . . . any public figure can be destroyed by the most irresponsible and flagrant charges."

The President stood firmly behind his Secretary of State—as much for reasons of politics as foreign policy. Though he was under fire from both Republican conservatives and Democratic liberals, Kissinger remained Ford's best bet for another SALT agreement and some movement in the Middle East by Election Day. By discrediting Congress over leaks, the President might also undercut its efforts to control foreign policy. Accordingly, press secretary Ron Nessen announced Ford's offer to help track down Schorr's source. "Did you notice how Nessen was able to keep a straight face?" grinned a White House staffer.

Backlash: Some congressmen suggested, rather improbably, that the leak might actually have come from the executive branch—which had its own copy of the report's early draft—to embarrass Congress. In any event, said chairman Pike, "all the leaks make the committee look bad." Many congressmen are worried about a voter backlash over all the secrets that are getting out (New York Democrat

Sam Stratton, in fact, proposed citing Schorr for contempt), and this has muddled the debate over what sort of intelligence oversight Congress should establish. Pike's panel proposed a permanent House oversight committee, while House Minority Leader John Rhodes co-sponsored legislation for a joint House-Senate panel on foreign and domestic intelligence operations.

President Ford, NEWSWEEK learned, this week will also call for a joint committee to oversee intelligence activities—but without authority to veto or disclose them in advance—and an independent executive-branch board to keep tabs on the same operations. A ban on assassinations will be reiterated and new CIA director George Bush will report weekly to Ford. The President also will propose a system of secrecy oaths for those in the executive branch with access to certain intelligence data—to be backed by fines and prison terms if Congress approves. The nation's vital interest in this area seemed to be at least twofold—to subject the CIA to sufficient scrutiny to prevent the sort of foreign and domestic abuses that have recently been laid bare, but also to avoid excesses of public revelation that can hobble American effectiveness in a dangerous world. Last week's row over leakage was clear evidence that this delicate balance had not yet been found.

—DAVID M. ALPERN with EVERT CLARK and HENRY W. HUBBARD in Washington